

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE ERIE UNIT 2262 and CITIZENS FOR PENNSYLVANIA'S FUTURE,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 20-cv-00362
)	
FEDERAL HIGHWAY ADMINISTRATION, and PENNSYLVANIA DEPARTMENT OF TRANSPORTATION,)	
)	
Defendants.)	
)	

**DEFENDANT FEDERAL HIGHWAY ADMINISTRATION'S
UNOPPOSED MOTION TO FILE ANSWER OUT OF TIME**

Defendant Federal Highway Administration (FHWA) respectfully moves to file its answer to Plaintiffs' complaint (ECF No. 1) outside of the 60 days it has to file an answer under Fed. R. Civ. P. 12(a)(2). Counsel for the FHWA has consulted with counsel for Plaintiffs and Defendant Pennsylvania Department of Transportation (PennDOT), and they have indicated that neither Plaintiff nor PennDOT oppose this motion.

The U.S. Attorney's Office was served Plaintiffs' complaint on January 8, 2021.

Pursuant to Fed. R. Civ. P. 12(a)(2), the time for the FHWA to file and serve its answer was 60 days after being served, or March 9, 2021. Counsel for the FHWA did not have an active E-filing status in this Court to timely file the answer on March 9, 2021. The CM/ECF electronic

filings registration has now been processed and, upon the Court's order granting this motion, Defendant FHWA will file the answer attached hereto as Exhibit 1.

Respectfully submitted this 10th day of March 2021.

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